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4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA

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7 SCOTT FEAMSTER,

8 Plaintiff,

9 v.

10 GACO WESTERN, LLC,

11 Defendant.

Case No. [18-cv-01327-HSG](#)

**ORDER DENYING MOTION FOR
LEAVE TO FILE MOTION FOR
RECONSIDERATION**

Re: Dkt. No. 67

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13 On September 3, 2019, Plaintiff filed a motion for leave to file a motion for
14 reconsideration of the Court’s order allowing attorney Sherri L. Kelly to withdraw as Plaintiff’s
15 counsel. *See* Dkt. No. 67. In the July 19 order, the Court reasoned that the motion to withdraw
16 satisfied both Civil Local Rule 11-5(a) and the California Rules of Professional Conduct given the
17 irreparable breakdown in the attorney-client relationship. *See* Dkt. No. 62 at 2–3.

18 A party seeking reconsideration of an interlocutory order must “show reasonable diligence
19 in bringing the motion” and—as relevant here—either that “a material difference in fact or law
20 exists from that which was presented to the Court” before the challenged order, or “[a] manifest
21 failure by the Court to consider material facts or dispositive legal arguments” presented to it
22 before its issuance of the challenged order. Civil L.R. 7-9(b). A motion for reconsideration is not
23 a vehicle for perpetually relitigating the Court’s rulings, or a substitute for appeal. *See Durkee v.*
24 *Ford Motor Co.*, No. C 14-0617 PJH, 2015 WL 1156765 (N.D. Cal. 2015) at *2 (“[M]ere
25 disagreement with a court’s order does not provide a basis for reconsideration.”); *GSI Tech., Inc.*
26 *v. United Memories, Inc.*, No. 5:13-cv-01081-PSG, 2015 WL 4463742 (N.D. Cal. 2015) at *4
27 (stating that “reconsideration is not an opportunity to relitigate issues that have already been
28 thoughtfully decided”) (quotation omitted).

1 Plaintiff has not presented any new and material facts or legal arguments, nor has he
2 shown a failure on the Court's part to consider material facts or dispositive arguments.
3 Accordingly, Plaintiff's motion for leave to file a motion for reconsideration is **DENIED**.

4 **IT IS SO ORDERED.**

5 Dated: 9/11/2019

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7 HAYWOOD S. GILLIAM, JR.
8 United States District Judge

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